

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

GARY MANDERSCHIED, on behalf  
of himself and all others similarly situated,

Plaintiff,

v.

ALLSTATE LIFE INSURANCE  
COMPANY,

Defendant.

No. 04-CV-0381-DRH

ORDER

HERNDON, District Judge:

The Court takes up this matter for purposes of docket control. On November 19, 2004, the Court stayed this case to await the Seventh Circuit's decision in ***Kircher v. Putnam***, 7<sup>th</sup> Cir. Case No. 04-1495, because the jurisdictional issues in the ***Kircher*** appeal were relevant to the issues raised in Plaintiff's motion to remand. (Doc. 19.) Since the Seventh Circuit has issued its opinion in ***Kircher*** and that decision has not been appealed, the Court **LIFTS** the stay in this case. The Court **GRANTS LEAVE** to the Parties to file a supplemental brief not to exceed 10 pages to discuss ***Kircher***'s application to this case. Plaintiff has until Wednesday, June 1, 2005, to file a supplemental brief. Defendant's brief is due twenty days after the date Plaintiff's supplement is filed.

**IT IS SO ORDERED.**

Signed this 19<sup>th</sup> day of May, 2005.

/s/ David RHerndon  
United States District Judge